

1 HONORABLE BENJAMIN H. SETTLE
2
3
4
5

6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA
10
11

12 HP TUNERS, LLC, a Nevada limited liability company,) CASE NO. 3:17-cv-05760-BHS
13)
14 Plaintiff,) **STIPULATED MOTION FOR
vs.) EXTENSION OF TIME TO FILE
15 KEVIN SYKES-BONNETT and SYKED) SUPPLEMENTAL BRIEFING AND
ECU TUNING INCORPORATED,) TO RE-NOTE MOTIONS TO SEAL
16 Washington corporation, and JOHN) (DKT. 191 AND DKT. 195)
17 MARTINSON,) **NOTING DATE: OCTOBER 24, 2019**
18
19 Defendants.
20**

21 Pursuant to LCR 7(d)(1) and LCR 10(g), Plaintiff HP Tuners, LLC (“Plaintiff”) and
22 Defendants Kevin Sykes-Bonnett, Syked ECU Tuning, Inc. and John Martinson (collectively,
23 “Defendants”), by and through their respective counsel, jointly respectfully for an extension of
24 the supplemental briefing schedule on Plaintiff’s Motion to Seal (Dkt. 191) and Defendants’
25 Motion to Seal (Dkt. 195) as ordered by the Court in connection with the Court’s Order dated
October 17, 2019 (Dkt. 229), and for the motions (Dkt. 191 and Dkt. 195) to be re-noted for
consideration on November 15, 2019. In support of this motion, the parties state as follows:

1. On October 17, 2019, in its Order, the Court permitted the parties to submit
supplemental briefing in connection with Plaintiff’s Motion to Seal (Dkt. 191) and Defendants’
Motion to Seal (Dkt. 195) and re-noted the motions for consideration on November 8, 2019.

STIPULATED MOTION FOR EXTENSION OF TIME TO FILE
SUPPLEMENTAL BRIEFING AND TO RE-NOTE MOTIONS TO
SEAL (DKT. 191 AND DKT. 195 - page 1

Heurlin, Potter, Jahn, Leatham & Holtmann, P.S.
211 E. McLoughlin Boulevard, Suite 100
PO Box 611
Vancouver, WA 98666-0611
(360) 750-7547

1 2. At the time of the entry of the October 17, 2019 (Dkt. 229) order and through
2 October 18, 2019, lead counsel for Plaintiff, Andrew P. Bleiman, was attending the American
3 Bar Association Forum of Franchising Annual Conference in Denver, CO.

4 3. On October 20, 2019, lead counsel for Plaintiff, Andrew P. Bleiman, traveled to
5 Waco, Texas to participate in the bench trial of Case 6:18-cv-00038-ADA-JCM styled as
6 *Protradenet, LLC v. Predictive Profiles, Inc.* Lead counsel for Plaintiff was engaged in the
7 Bench Trial of that action on October 21, 2019 and October 22, 2019.

8 4. Currently, Plaintiff's supplemental briefing in connection with Dkt. 191 and Dkt.
9 195 is due on October 25, 2019.

11 5. Notwithstanding the conference, trial and associated travel with the conference
12 and trial, Plaintiff's counsel has been working diligently to complete the supplemental briefing in
13 order to file it on October 25, 2019.

14 6. Despite Plaintiff's counsel's best efforts, Plaintiff's counsel does not believe that
15 the supplemental briefing will be able to be completed to be filed on October 25, 2019 and
16 Plaintiff hereby requests a short extension of time until November 1, 2019 to submit its
17 supplemental briefing for Dkt. 191 and Dkt. 195.

18 7. Plaintiff also requests that the deadline for Defendants' response be extended until
19 November 8, 2019 and that the motions be re-noted for consideration on November 15, 2019.

21 8. The request for an extension of time is not being made for improper purposes or
22 for purposes of delay. Instead, good cause exists for the extension based on Plaintiff's counsel's
23 other engagements and the short extension of time will not cause prejudice to any party.

24 9. Defendants stipulate to this request and have no objection to the short extensions
25 of time requested herein.

1 WHEREFORE, the parties request that Plaintiff's supplemental briefing on Dkt. 191 and
2 Dkt. 195 shall be due on November 1, 2019, that Defendants' supplemental response briefing
3 shall be filed on November 8, 2019 and that the motions (Dkt. 191 and Dkt. 195) be re-noted for
4 consideration on November 15, 2019.

5 Dated this 24th day of October, 2019.
6

7 IT IS SO ORDERED.
8

9 Respectfully submitted,
10

11 Attorneys for HP Tuners, LLC
12

s/ Andrew P. Bleiman
13 Andrew P. Bleiman (admitted *pro hac vice*)
Marks & Klein
14 1363 Shermer Road, Suite 318
Northbrook, Illinois 60062
(312) 206-5162
andrew@marksklein.com

16 Attorneys for Defendants
17

18 s/ Philip P. Mann
19 Philip P. Mann
Mann Law Group PLLC
20 107 Spring St.
Seattle, WA 98104
21 206-436-0900 tel
206-855-8839 dir
22 866-341-5140 fax
www.mannlawgroup.com
phil@mannlawgroup.com

Honorable Judge Benjamin H. Settle

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on October 24, 2019, I caused the foregoing to be electronically filed with
3 the Clerk of Court using the **CM/ECF system** which will electronically send Notice to all
4 Counsel of Record.

5 MARKS & KLEIN

6 *s/ Andrew P. Bleiman* _____
7 Andrew P. Bleiman (admitted *pro hac vice*)
8 1363 Shermer Road, Suite 318
9 Northbrook, Illinois 60062
10 Telephone: (312) 206-5162
11 E-mail: andrew@marksklein.com

12 *Attorney for Plaintiff*